IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3495 OF 2006

Nandini Kailas Shinde ..Petitioner

V/s.

Genu Baban Gaikar and ors ..Respondents

Mr.U.P.Warunjikar for the petitioners
Ms.Tendulkar for the respondent No.1 to 3

CORAM : A.S.OKA, J.

DATE : 10TH APRIL, 2007

P.C.

1. Heard Mr.U.P.Warunjikar appearing for the petitioner. His submission is that the mutation entry was made without notice to the petitioner. He submits that the Additional Collector while deciding the appeal has accepted the said fact.

2. The order impugned has been passed by the learned Additional Divisional Commissioner in a Revision Application preferred by the petitioner. By the impugned order, the revisional authority has directed the Additional Collector to hold an enquiry and submit a report to the revisional

authority within a period of three months. The Additional Collector has been directed to hear both the parties. The Revision Application filed by the petitioner is still pending and the same will be decided after the report is received from the Additional Collector. In view of this position, no case is made out for interference under article 227 of the Constitution of India. Writ Petition is rejected. However, all issues in the pending Revision Application are expressly kept open.

(A.S.OKA, J.)